



COPY

ATTY DOCKET: 416272061200

BY ATTY: MRW1/lxo3

INVENTORS(s):

USSN: 09/972,805

Vicki L. CHANDLER, et al

FILED: October 5, 2001

DATE OF MAILING: November 16, 2001

Title: GENETIC FUNCTIONS REQUIRED FOR GENE SILENCING
IN MAIZE

1. Transmittal Form - 1 pg
2. INFORMATION DISCLOSURE STMT (3 pgs) - IN DUPL
3. Form PTO-1449 [1 pg] with [4] references attached IN DUPL
4. This return receipt postcard.



RECEIVED BY THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEST AVAILABLE COPY



PATENT
Docket No. 416272061200

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231, on November 16, 2001.

LILIA OLSEN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

V. CHANDLER et al.

Serial No.: 09/972,805

Filing Date: October 5, 2001

For: GENETIC FUNCTIONS REQUIRED
FOR GENE SILENCING IN MAIZE

Examiner: To Be Assigned

Group Art Unit: 1638

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- ☒ **Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.**
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of * is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of * is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

I hereby certify that no item of information was cited in a communication from a foreign patent office in a counterpart foreign application or, to the best of my knowledge after making a reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 is to the best of my knowledge and is not to be construed as a representation

that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **416272061200**. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: November 16, 2001

Respectfully submitted,

By: Michael R. Ward
Michael R. Ward
Registration No. 38,651

Morrison & Foerster LLP
425 Market Street
San Francisco, California 94105-2482
Telephone: (415) 268-6237
Facsimile: (415) 268-7522



Form PTO-1449

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number 416272061200

Application Number 09/972,805

Applicant

V. Chandler et al.

Filing Date October 5, 2001

Group Art Unit

1638

Mailing Date November 16, 2001

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	1.	Kermicle, Jerry L. "Epigenetic Silencing and Activation of a Maize <i>r</i> Gene", <u>Epigenetic Mechanisms of Gene Regulation</u> , V.E.A. Russo et al. eds. (New York: Cold Spring Harbor Laboratory Press) (1996): 267-287.
	2.	Matzke, A. J. M. et al. "Homology-dependent gene silencing in transgenic plants: epistatic silencing loci contain multiple copies of methylated transgenes", <i>Mol. Gen. Genet.</i> 244 (1994): 219-229.
	3.	Meyer, P. and H. Saedler. "Homology-dependent gene silencing in plants", <i>Annu. Rev. Plant Physio. Plant Mol. Biol.</i> 47 (1996): 23-48.
	4.	Scheid, Ortrun Mittelsten et al. "Release of epigenetic gene silencing by trans-acting mutations in <i>Arabidopsis</i> ", <i>Proc. Natl. Acad. Sci. USA</i> 95 (1998): 632-637.

EXAMINER: (examiner)

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.